

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

YOKO ONO LENNON

Plaintiff vs. FREDERIC SEAMAN	Case Number 1:20-cv-08176
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Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

YOKO ONO LENNON

Plaintiff vs. FREDERIC SEAMAN	Case Number 1:99-cv-02664-LBS-JCF
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Defendant

Status of Earlier Filed Case:

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)



Open

(If so, set forth procedural status and summarize any court rulings.)

After a jury trial, the parties entered into a Final Judgment on Consent that was So-Ordered by the Court (filed on 06/30/2003). The parties also entered into a Stipulation and Order of Dismissal that was So Ordered by the Court (filed on 06/27/2003). There is no appeal pending.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The cases concern the exact same parties and substantially similar events; there is substantial factual overlap, and relating these cases would serve the interests of judicial economy.

In the earlier filed case, Plaintiff Yoko Ono Lennon alleged, inter alia, copyright infringement, declaratory judgment, fraud on the copyright office, unjust enrichment, breach of contract, as well as request for injunctive relief. Plaintiff alleged that Defendant unlawfully removed photographs, videotapes and other depictions of the Lennons from the Lennon household and sought return of these items, and damages.

After a jury trial in 2002, the parties entered into a So Ordered Final Judgment on Consent (the "Consent Judgment"). The Consent Judgment included a permanent injunction which, inter alia, enjoined Defendant from exploiting or divulging any information about John Lennon, Yoko Ono Lennon or Sean Lennon (the "Lennon Family"). This included statements made in books and interviews, and also applied to publication of any image of the Lennon Family (including copyrighted images owned by Plaintiff). Defendant was also enjoined from reprinting or reissuing the book "The Last Days of John Lennon" (the "Enjoined Book").

In the Newly Filed Case, Plaintiff alleges that Defendant has engaged in the enjoined conduct by participating in an interview discussing the Lennon Family and improperly displaying Plaintiff's copyrighted works. Defendant also discussed his intent to reissue the Enjoined Book. Plaintiff alleges that Defendant's conduct constitutes new instances of copyright infringement and a breach of the Consent Judgment by violating its terms. By breaching the Consent Judgment, Defendant is in contempt of this Court's Order. The cases, therefore, are substantially similar.

Signature:

Shukat Arrow Hafer Weber & Herbsman, LLP

Firm:

Date: 10/01/2020